United Nations S/AC.49/2017/92

Security Council

Distr.: General
9 October 2017

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 9 October 2017 from the Permanent Mission of Denmark to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Denmark to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to submit a report on the concrete measures taken by the Government of Denmark to implement the provisions of Security Council resolution 2321 (2016), in accordance with paragraph 36 of that resolution (see annex).

17-18247 (E) 231017

Please recycle

Annex to the note verbale dated 9 October 2017 from the Permanent Mission of Denmark to the United Nations addressed to the Chair of the Committee

Report of Denmark on the implementation of Security Council resolution 2321 (2016)

Denmark and the other States members of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2321 (2016), by taking the following common measures:[1]

- Council Decision (CFSP) 2016/2217 of 8 December 2016 amending Decision (CFSP) 2016/849 and Commission Implementing Regulation (EU) 2016/2215 of 8 December 2016 amending Council Regulation (EC) No. 329/2007, which implement the designation of additional persons and entities (travel ban and asset freeze).
- Council Decision (CFSP) 2017/345 of 27 February 2017 amending Decision (CFSP) 2016/849

which sets out the commitment of the European Union to implementing all the measures contained in Security Council resolution 2321 (2016) and provides the basis for European Union-specific accompanying measures within the scope of the resolution, notably:

- Trade ban on nuclear- and missile-usable items listed in annex III to resolution 2321 (2016)
- Trade ban on items listed in the conventional arms dual-use list adopted by the Committee pursuant to paragraph 7 of resolution 2321 (2016)
- Ban on leasing or chartering vessels or aircraft, or providing crew services, to the Democratic People's Republic of Korea
- Prohibition on registering vessels in the Democratic People's Republic of Korea, on obtaining authorization for a vessel to use the flag of that country, and on owning, leasing, operating, providing vessel classification, certification or associated services to, or insuring a vessel flagged by, the Democratic People's Republic of Korea
- Clarification that specialized teaching and training that could contribute to the proliferation-sensitive nuclear activities of the Democratic People's Republic of Korea or the development of nuclear weapons delivery systems, can also include, but is not limited to, advanced materials science, advanced chemical engineering, advanced mechanical engineering, advanced electrical engineering and advanced industrial engineering
- Suspension of scientific and technical cooperation involving persons or groups that are officially sponsored by or represent the Democratic People's Republic of Korea, except for medical exchanges. In the field of nuclear science and aerospace technology, exemptions may be granted by the Committee when it has determined, on a case-by-case basis, that the activity will not contribute to illegal activities. For other fields of technical cooperation the member State can determine that the activity

[1] All common measures are published in the *Official Journal of the European Union*.

will not contribute to illegal activities but has to notify the Committee in advance

- Attribution to the Committee of the power to list vessels if it has information or reasonable grounds to believe that the vessels are involved in illegal activities; this power includes the additional measures that might be imposed by the Committee in this regard
- Restriction on the admission to the European Union of members of Government and officials of the Democratic People's Republic of Korea and members of that country's armed forces who are linked to illicit activities
- Limitation on the number of accounts at banks in the European Union to one per diplomatic mission and consular post of the Democratic People's Republic of Korea and one per accredited diplomat and consular officer of that country
- Prohibition on the use by the Democratic People's Republic of Korea of real property that it owns or leases for any purpose other than diplomatic or consular activities and on the leasing from the Democratic People's Republic of Korea of real property situated outside its territory
- Prohibition on providing insurance or reinsurance services to vessels owned, controlled or operated, including through illicit means, by the Democratic People's Republic of Korea
- Prohibition on procuring vessels and aircraft crew services from the Democratic People's Republic of Korea
- Obligation to deregister any vessel that is owned, controlled or operated by the Democratic People's Republic of Korea, including a prohibition on registering any such vessel that has been deregistered by another United Nations Member State
- Extension of export prohibitions: establishment of a new regime for the export ban on coal, including a cap on the exemptions relating to total exports to all United Nations Member States, with the power to determine the cap attributed to the Committee, and the export ban extended to new items, namely, statues, new helicopters and vessels, copper, nickel, silver and zinc
- Financial sector: imposition of an obligation to close existing representative offices, subsidiaries or bank accounts in the Democratic People's Republic of Korea within 90 days, unless approved by the Committee on the grounds that the accounts are required for the delivery of humanitarian assistance or the activities of diplomatic missions
- Prohibition on providing public and private financial support for trade with the Democratic People's Republic of Korea, including the granting of export credits, guarantees or insurance, to nationals or entities of the Democratic People's Republic of Korea involved in such trade
- Obligation to expel persons who are working on behalf or at the direction of a bank or financial institution of the Democratic People's Republic of Korea, unless the presence of the person is required for the fulfilment of a judicial process or exclusively for medical, safety or humanitarian purposes
- Obligation to seize and dispose of (such as through destruction, rendering inoperable or unusable, storage or transfer to a State other than

the originating or destination State for disposal) items the supply, sale, transfer, or export of which is prohibited under Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016) and that are identified through inspections, in a manner that is not inconsistent with the obligations of member States under applicable Security Council resolutions, including resolution 1540 (2004)

- Possibility for the Committee to grant exemptions to the aforementioned prohibitions, on a case-by-case basis, including when it has determined that an exemption may facilitate the work of international and non-governmental organizations

• Council Regulation (EU) No. 2017/330 of 27 February 2017 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to the measures provided in Council Decision (CFSP) 2017/345 of 27 February 2017.

In addition, the competent Danish authorities will apply the following national legislation in implementing the restrictive measures against the Democratic People's Republic of Korea concerning arms and related material:

• In accordance with section 7 a (1) and (4) of the Danish Weapons Act No. 1005 of 2012, with subsequent amendments, the government order on transportation of weapons between countries other than Denmark has been issued, establishing a prohibition on the transport of weapons and so on, to and from specific countries. According to section 1 of the order, it is prohibited to transport weapons of any kind and defence-related material between countries other than Denmark when the recipient country is listed in the order. The list includes all countries that are under a United Nations, European Union or Organization for Security and Cooperation in Europe arms embargo. According to section 2 of the order, it is prohibited to transport weapons of any kind and defence-related material between countries other than Denmark when the exporting country is listed in the order. This list includes all countries that are under a United Nations, European Union or Organization for Security and Cooperation in Europe arms embargo, specifically prohibiting, for example, transport of weapons from that country.

• According to section 7 b (1) of the Danish Weapons Act, it is likewise prohibited, without a specific licence from the Minister of Justice, for a broker to negotiate or arrange transactions that involve the transfer of weapons, as defined in section 6, between countries outside the European Union. Furthermore, it is prohibited to buy or sell weapons, as defined in section 6, as part of a transfer between countries outside the European Union, or, for the owner of the weapons to arrange such a transfer. According to section 7 b (2), the prohibition does not apply to acts performed in another State member of the European Union or to acts performed outside the European Union by persons with permanent residence outside Denmark.

• According to section 6 of the Danish Weapons Act, it is prohibited to export weapons of any kind and defence-related material, among others, without a specific licence. Section 6 applies to any situation in which items are transferred from Denmark to a third country, no matter whether the transfer takes place in relation to export, transit, trans-shipment or re-export. Export licences will not be issued to countries in violation of Security Council resolutions 1718 (2006), 1874 (2009) and 2270 (2016).

- Violations of the above-mentioned rules are criminal offences punishable by fine or imprisonment; see Danish Weapons Act, section 10, and, under aggravating circumstances, section 192 (a) of the Danish Criminal Code.

Furthermore, the competent Danish authorities are currently revising the Danish Merchant Shipping Act No. 75 of 2014, with subsequent amendments, in order to fully implement the restrictive measures concerning registration and deregistration of vessels against the Democratic People's Republic of Korea imposed by the Security Council in resolution 2321 (2016).

The above-mentioned Council Regulations are binding in their entirety and directly applicable in all States members of the European Union. Regulation (EC) No. 329/2007 requires member States to determine the penalties applicable to infringements of their provisions. The penalties determined by Denmark are set out in the following legislation:

- The Danish Criminal Code No. 977 of 2017. According to section 110 c (2) of the Criminal Code, a fine or imprisonment for a term not exceeding four months, or in particularly aggravating circumstances imprisonment for a term not exceeding four years, is imposed on any person who fails to comply with provisions or prohibitions stipulated by law to perform the obligations incumbent on the State as a Member of the United Nations. An equivalent provision exists concerning the contravention of European Union sanctions (sect. 110 c (3)). Where the contravention is committed through negligence, the penalty is a fine or imprisonment for a term not exceeding two years (sect. 110 c (4)).

As regards restrictions on admission (visa ban), Denmark has the following national legislation, which, together with Council Decision (CFSP) 2016/849 and Regulation (EC) No. 539/2001, provides the basis for refusal of admission and denial of requests for a visa:

- The Danish Aliens Act No. 412 of 2016, with subsequent amendments, under which the competent Danish authorities have the power to impose entry and transit restrictions on persons designated by the Security Council Committee established pursuant to resolution 1718 (2006). The necessary instructions will be issued immediately after the designation of such persons.

United Nations S/AC.49/2017/93

Security Council

Distr.: General
13 October 2017

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 11 October 2017 from the Permanent Mission of Bahrain to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Kingdom of Bahrain to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to Security Council resolution 1718 (2006) concerning the Democratic People's Republic of Korea (DPRK) and has the honour to transmit herewith a report by the Kingdom of Bahrain on the implementation of Security Council resolutions 2270 (2016), 2356 (2017), 2371 (2017) and 2375 (2017) (see annex).

17-18250 (E) 181017 231017

Please recycle

Annex to the note verbale dated 11 October 2017 from the Permanent Mission of Bahrain to the United Nations addressed to the Chair of the Committee

[Original: Arabic]

Report of Bahrain on the implementation of Security Council resolutions 2270 (2016), 2356 (2017), 2371 (2017) and 2375 (2017)

The Kingdom of Bahrain is committed to the Security Council resolutions adopted under Chapter VII of the Charter of the United Nations concerning sanctions on the Democratic People's Republic of Korea. The National Committee on Follow-up to Security Council Resolutions has transmitted the provisions of the resolutions to all ministries and relevant Government actors in order for them to take appropriate measures in accordance with established procedure.

Some of the measures taken by the competent authorities are set out below:

- All airlines and land, sea and air crossings in Bahrain have been instructed to implement all of the relevant provisions of the resolutions, including the travel ban and the requirement to seek out, detect and confiscate prohibited items.
- The Chamber of Industry and Commerce of Bahrain, the National Oil and Gas Authority and all departments of the Ministry of Industry, Trade and Tourism have been instructed to implement the provisions of the resolutions.
- All banks and licensed financial institutions in Bahrain have been instructed to take the necessary action to implement the provisions of the resolutions.
- The National Committee is periodically monitoring the situation in order to ensure that the provisions of the resolutions are implemented comprehensively and continuously.